

THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION NO.17722 OF 2004

-
DATED: 18-7-2007

Between:

E. Eswara Lingam

.. Petitioner

and

The Chief Engineer, Electricity,
Operations, Metro zone, APCPDCL, Mint
Compound, Hyderabad and others.

.. Respondents

THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION NO.17722 OF 2004

-

ORDER:

This writ petition is filed seeking a mandamus declaring the action of the respondents in disconnecting power supply to the service connection No.V-78561, in premises bearing D.No.2-3643/1/A/1/A, Azadnagar, Amberpet, Hyderabad, belonging to the petitioner, on 28.09.2004, as arbitrary and illegal.

According to the petitioner, the respondents visited the above said premises on 28.09.2004 and disconnected the power supply to his service connection No.V-78561, without raising any demand as to arrears of consumption charges or any allegation as to pilferage etc. When he enquired with the respondents, no reason for disconnection has been furnished by them. Aggrieved by the same, the present writ petition is filed.

While admitting the writ petition on 05.10.2004, this Court passed an interim order in W.P.M.P.No.23229 of 2004 directing the respondents to restore power supply forthwith to the petitioner's service connection. However, it was made clear that the said order shall not preclude the respondents to issue demand notice towards alleged arrears and to take necessary steps for recovery.

Now, the learned counsel for the respondents states that the matter requires to be referred to the Special Court, under Section 154 of the Indian Electricity Act, 2003, for adjudication of the same.

In view of the above, without expressing any opinion on merits, the respondents are directed to refer the dispute, if any survives in

connection to this matter, to the Special Court for adjudication of the same. Till the matter is resolved by the Special Court, power supply to the service connection of the petitioner shall not be disconnected.

With the above directions, the writ petition is disposed of. There shall be no order as to costs.

C.V. RAMULU, J

18th July, 2007.
IBL